IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1803 OF 2004

Shri Gautam Madhukar Kasbe ...Petitioner

Versus

The Asstt.Commissioner of Police

& Anr. ...Respondents

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Mr.U.R.Agandsurve for Petitioner.

Mr.K.V.Saste, A.P.P. for Respondents.

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CORAM: A.M.KHANWILKAR, J.

JANUARY 18, 2005.

P.C.

1. Heard Counsel for the parties.

2. On going through the record, I see no infirmity in the conclusion reached by the authorities below. The First Authority has adverted to the relevant materials to conclude that action of externment was imperative in the fact situation of the present case. It is not a case of

overlooking documents, which are already on record.

3. To get over this position, the argument canvassed on behalf of the Petitioner is that there is no material to support the position that witnesses were not coming forward to depose against the Petitioner. It is argued that the Petitioner is already on bail in pending criminal cases and no such grievance is made before any Court. That by itself, cannot be ground to interfere. The Authorities have relied on the statements of witnesses recorded in-camera. There can be no reason to doubt the correctness of the said statements, at least in the present proceedings, being writ jurisdiction.

5. Accordingly, I find no substance in this Petition. The same is dismissed.

A.M.KHANWILKAR, J.